IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WA.No. 2073 of 2006(C)

AGAINST THE ORDER Dated 23/08/2006 IN I.A. NO. 10535/2006 IN WPC.33022/2005

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APPELLANT: RESPONDENTS
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1. SECRETARY TO GOVERNMENT,
   PUBLIC RELATIONS DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DISTRICT INFORMATION OFFICER,
   KOTTAYAM.

BY GOVERNMENT PLEADER

RESPONDENTS: PETITIONER

K.N.THANKACHAN, S/O.NEELAKANDAN,
`KRISHNAN', VARTHA NAGAR, KANJIKUZHY,
MUTTAMBALAM P.O., KOTTAYAM.

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.A. ABDUL GAFOOR & K.R. UDAYABHANU, JJ

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W.A. NO. 2073 OF 2006

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Dated this the 8th day of January 2007

JUDGEMENT

Taking into account the fact that the petitioner is getting regular pension, we are of the view that an interim order directing arrears of pension, on the sole ground that counter has not been filed inspite of the direction in that regard, is not justified. That is a matter to be considered in the W.P.(C). No. 33022/2005 which, we hope, will be heard without any further delay. Appeal is thus allowed setting aside the order impugned.

K.A. ABDUL GAFOOR, JUDGE

K.R. UDAYABHANU, JUDGE.

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